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Facsimile Transmission January 25, 200							
To:	Valerie Kinard						
Fax No:	(703) 308-7749						
Phone No:	(703) 305-3974						
Re:	U.S. Patent Applica	tion No. 10/705,815					
Your Ref:							
Seed IP Ref:	890050.448						
No. of Pages:	38 (including this pa	age)					
If you do not receive	ve all pages, please cal	I <u>L. Shockev</u> at (206) 622-4	900 or fax our office.				
X Urgent	X For Review	X Please Confirm Receipt	Please Reply ASAP				
Comments:							
	<del>-</del>	owing documents, whic	h were filed on				
December 15, 2	2004:						
Transmittal For	m (1 page)						
Fee Transmitta	l (1 page)(+copy)						
Petition to With	draw Holding of Aba	andonment (4 pages)(+	сору)				
Transmission Ir	nformation:						
Date:	Time:	Ву	•				

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December 15, 2004

**OIPE Customer Service** 

Fax No: (703) 308-7751

Phone No:

Re: U.S. Patent Application No. 10/705,815

Your Ref:

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Please Reply **ASAP** 

Comments:

Transmittal Form (1 page)

Fee Transmittal (1 page)(+copy)

Petition to Withdraw Holding of Abandonment (4 pages)(+copy)

Seed intellectual Property Law Graup PLLC

garas 701 Fifth Avenua OGES eslu2 Seattle, WA 98104

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Facsimile T	ransmission		December 15, 2004
To:	OIPE Customer Se	rvice	
Fax No:	(703) 308-7751		
Phone No:			
Re:	U.S. Patent Applica	tion No. 10/705,815	
Your Ref:			
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X Urgent	X For Review	X Please Confirm Receipt	Please Reply ASAP
Comments:			
	l (1 page)(+copy)	andonment (4 pages)(-	<b>-сору)</b>
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ENCLOSURES (check all that apply)

# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	10/705,815	
Filing Date	November 10, 2003	
First Named Inventor	Narutoshi Fukuzawa	
Art Unit	1752	
Examiner Name		
Attorney Docket No.	890050.448	

Fee Transmittal Form Fee Attached Amendment/Respon After Final Affidavits/declar Extension of Time If Express Abandoning Request Information Disclos Statement; Form Proceed Copy of Procure Cited References Certified Copy of Procure to Missing under 37 C.F.R. 1.5 Response to Missing Parts/Incomplete A	eration(s) Request ment sure PTO-1449 Priority ing Parts 52 or 1.53	Request for Corrected Filing Receipt Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation, Change of Correspondence Address Declaration Statement under 37 CFR 3.73(b) Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD	Communication to TC  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  Return Receipt Postcard  Other Enclosure(s) (please identify below):  Copy of Notice of  Abandonment
	SIGNATUR	E OF APPLICANT, ATTORNE	Customer Number
Firm Name Se	eed Intellect	tual Property Law Group PLLC	00500
Signature	lar	<u> </u>	
Printed Name Ha	ai Han, Ph.C	D	
Date De	ecember 15	, 2004 Reg.	No. 54,150
with the United State	his correspo	Service with sufficient postage:	IAILING mitted to the USPTO or deposited as first class mail in an envelope ndria, VA 22313-1450 on the date
Signature		alera C. So	notrey
Typed or printed name	e Laur	a C. Shockey	Date: December 15, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1 14. This collection is estimated to lake 2 hours to complete, including gettering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the inclividual case. Any comments on the amount of time you require to complete this form and/or suggestions for roducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Fees pursuant to the C	Effective on 12/0:		5 (H R 481	8)		mplete if Kno			
•				Application	Number	10/705,815			
FEE	TRANS	MIIIA	L	Filing Date	<del></del>	November '			
	for FY 20	005		First Named		Narutoshi F	ukuzaw	<u> </u>	
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FEE CALCULATIO	N								
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Utility	300	150	500	250	200	100			
Design	200	100	100	50	130	65			
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2. EXCESS CLAIM	FEES							Small Entity	
Fee Description						!	Fee (\$)	Fee (\$)	
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3. APPLICATION S	SIZE FEE								
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SUBMITTED BY									
	11			Registration No.	54,150	Telephone	206 6	22-4900	
Signature Name (Print/Tyne)	Hailles Di			(Attorney/Agent)	34, 100	Date		nber 15, 2004	
Name (Print/Type)	mai Han. Ph.D	<i>i</i> -				LUSTE	LUecen	nper 15 7004	

Fees pursuant to the (	Effective on 12/0		05 (H.R. 4818).			mplete if Kno			
•	• •	•	•	Application	Number	10/705,815			
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	for FY 2	2005		First Name		Narutoshi F	ukuzawa		
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Applicant claims		(\$)130	GFR 1.2/		akat Na	890050,448	1		
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METHOD OF PAYE									
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FEE CALCULATIO	N								
1. BASIC FILING,	SEARCH, AND	EXAMINAT	ion fees						
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SUBMITTED BY									
			Rec	istration No.					
Signature	Ha	<u> </u>		orney/Agent)	54,150	Telephone	206-622-4900		
Name (Print/Type)	Hai Han, Ph.I	).				Date	December 15, 2004		

PATENT

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark

Office on the date shown below:

December 15, 2004

Date

aura C. Shockey

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants** 

Narutoshi Fukuzawa

Application No.

10/705,815

Filed

: November 10, 2003

For

OPTICAL RECORDING DISK, METHOD FOR

MANUFACTURING OPTICAL RECORDING DISK AND

OPTICAL RECORDING AND REPRODUCING METHOD FOR

OPTICAL RECORDING DISK

Docket No.:

890050.448

Date

December 15, 2004

FAX (703) 308-7751

OIPE Customer Service Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R 1.181(a)

#### Commissioner for Patents:

Submitted herein is a petition in reply to the Notice of Abandonment mailed on November 29, 2004. According to the Notice, the application became abandoned for failure to reply or properly reply to the Notice to File Missing Parts mailed on February 23, 2004. Our office never received the Notice to File Missing Parts. Applicant respectfully contends that the

Application No. 10/705,812 Reply to Notice of Abandonment dated November 29, 2004

application is not in fact abandoned because Applicant has never received the Office Communication at issue.

Applicant hereby provides the following information to satisfy the requirements as specified in MPEP §711.03(c) (I)(A) regarding a grantable petition to withdraw holding of abandonment based on failure to receive office action or communication.

The following are the procedures at Seed IP Law Group for processing mail and docketing PTO due dates:

- Mail is received in the office, all USPTO correspondence is sent directly to docketing department;
- Docketing personnel make an independent review of the documents and produce an independent calculation of due dates (without the use of a computer);
- c. Docketing personnel enter the base date (date mailed from USPTO) into our CPI (Computer Packages Inc.) database and select the appropriate template from the CPI system with the required date calculations programmed for each template;
- d. Docketing personnel compare the independent calculation date with the CPI generated date for accuracy;
- e. Docketing personnel forward a copy of the "print screen" with all due dates listed along with the USPTO correspondent to assigned Legal Assistant;
- f. The legal assistant reviews the docketing department's due date and enters the due date on to a paper calendar;
- g. The legal assistant enters the USPTO correspondence into the appropriate file, and updates file index listing the date mailed from the USPTO and the due date.

Attached hereto are copies from our docketing department showing all actions/reminders entered into CPI with a base date of February 23, 2004 as well as a copy of filing missing parts due on April 23, 2004. A copy of the legal assistant's desk calendar showing

Application No. 10/705,812 Reply to Notice of Abandonment dated November 29, 2004

the due dates for the month of April 2004 is enclosed as well as a copy of the file index showing all correspondence to and from the USTPO for this matter.

Upon a strict review of our docketing department's records, the Legal Assistant's desk calendar, the file, and file index, I believe that the Notice to File Missing Parts was not received in our office at anytime.

To complicate the matter further, the postcard sent with the original application was returned to us on November 23, 2003 and it bore a wrong application number (shown as 10/706,228) and a wrong filing date (shown as November 12, 2003). A copy of the returned postcard is attached hereto. Our docketing department noted the error regarding the date on the postcard. However, at the time we had no way of knowing that the application number was also wrong.

After several months passed and the filing receipt was not received, we phoned the U.S. Patent Office on October 19, 2004. The U.S. Patent Office personnel at no time mentioned that there was an outstanding Notice, but merely indicated that a filing receipt would be mailed out to us. We received the official filing receipt on October 22, 2004 (enclosed herein), on which both the application number and the filing date were different from the postcard, and we believe are the correct numbers. However, the filing receipt was not accompanied by the Notice to File Missing Parts. We then received Notice of Abandonment mailed on November 29, 2004, but have never received the Notice to File Missing Parts.

Based on the showing as outlined above, I believe that the Notice to File Missing Parts was never received at our office. Any attempt to investigate the matter ourselves was also hampered by the fact that we did not have a correct application number until October 22, 2004, at which time the due date for replying to the Notice to File Missing Parts had passed unbeknownst to us.

Applicants submits herewith the processing and retention fee as set forth in  $\S1.53(f)$ . No petition fee is believed due at this time.

Application No. 10/705,8... Reply to Notice of Abandonment dated November 29, 2004

Applicants hereby request that the petition be granted based on failure to receive an Office Communication and this application be processed and retained.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

Hai Han, Ph.D.

Registration No. 54,150

#### HXH:lcs

### Enclosures:

Docketing records with the base date of February 23, 2001
Docketing records with the due date for filing missing parts on April 23, 2002
Copy of Legal Assistant's calendar for April 2004
Copy of File Index
Copy of Returned Postcard
Copy of Official Filing Receipt
Copy of Notice of Abandonment

701 Fifth Avenue, Suite 6300 Seattle, Washington 98104-7092

Phone: (206) 622-4900 Fax: (206) 682-6031

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PATENT

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December 15, 2004

Date

Laura C. Shockey

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants** 

Narutoshi Fukuzawa

Application No.

10/705,815

Filed

November 10, 2003

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OPTICAL RECORDING DISK, METHOD FOR

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- Docketing personnel make an independent review of the documents and produce an independent calculation of due dates (without the use of a computer);
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Application No. 10/705,815 Reply to Notice of Abandonment dated November 29, 2004

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SEED Intellectual Property Law Group PLLC

Hai Han, Ph.D.

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701 Fifth Avenue, Suite 6300 Seattle, Washington 98104-7092

Phone: (206) 622-4900 Fax: (206) 682-6031

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130109-507	Pending	10/693672	10/23/2003	Check Status	Check Status	2/23/2004	2/23/2004
260006- 443EP	Pending	02734559.4	5/28/2002	Response	Re: Amend Claims	2/23/2004	2/23/2004
690068- 448CA	Pending	2321929	2/23/1999		Request Examination	2/23/2004	2/23/2004
760100- 433EP	Pending	99949529.4	6/1/1999	Response	Office Action - 96(2)	2/23/2004	2/23/2004
690068- 448KR	Pending	00-7009330	2/23/1999	Request Examination	Further Instructions - Request Examination	2/23/2004	2/23/2004
320043- 430EP	Published	98958674.8	11/20/1998	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043-406JP	Expired	21386/83	2/10/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 406EP	Converted	83100398.3	1/18/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043-406IL	Abandoned	67810	2/1/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 421EP	Converted	94202615.4		Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
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320043- 421GB	Granted	94202615.4	9/12/1994	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 421NL	Granted	94202615.4	9/12/1994	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 419EP	Converted	93202220.5	7/26/1993	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 419FR	Granted	93202220.5	7/26/1993	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 419DE	Granted	93202220.5	7/26/1993	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 419GB	Granted	93202220.5	7/26/1993	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 416FR	Granted	92201251.3	5/4/1992	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 416DE	Granted	92201251.3		Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 416NL	Granted	92201251.3		Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 416GB	Granted	92201251.3	i	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
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320043- 415FR	Granted	91201952.8	7/25/1991	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 415DE	Granted	91201952.8	7/25/1991	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 415NL	Granted	91201952.8	7/25/1991	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 415GB	Granted	91201952.8	7/25/1991	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 414EP	Abandoned	91201697.9	7/1/1991	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 423EP	Converted	95202162.4	8/8/1995	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 423DE	Granted	95202162.4	8/8/1995	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 423FR	Granted	95202162.4	8/8/1995	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 423GB	Granted	95202162.4	8/8/1995	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043-406IT	Expired	83100398.3	1/18/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 406CH	Expired	83100398.3		Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004

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320043- 406BE	Expired	83100398.3	1/18/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 406NL	Expired	83100398.3	1/18/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 406DE	Expired	83100398.3	1/18/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 406GB	Expired	83100398.3	1/18/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 415ES	Abandoned	91201952.8	7/25/1991	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
980049- 411PC	Converted	US2002/413 06	12/20/2002	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
110129- 407C4	Published	10/172737	6/13/2002	US-1 month Response	Final Deadline	3/23/2004	2/23/2004
900122-455	Transfer	10/189166	7/3/2002	US-1 month Restriction	1 month +mailing/Due date	3/23/2004	2/23/2004
900122-455	Transfer	10/189166	7/3/2002	US-1 month Restriction	1st Extension/Month 2 of 6	4/23/2004	2/23/2004
210121- 45501PL	Pending	P-354348	4/3/2000	Complete the Filing	Authorization; Priority Documents	4/23/2004	2/23/2004
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130309- 493USPC	Pending	10/487579	9/21/2004	Information Disclosure Stmnt	Information Disclosure Stmnt	5/23/2004	2/23/2004
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854063-738	Pending	10/719650	11/21/2003	US-2 month + mailing Missing Parts	1st Extension/Month 3 of 6	5/23/2004	2/23/2004
858063-438	Granted	09/301487	4/28/1999	US- Allowance	Issue Fee Due	5/23/2004	2/23/2004
851663- 410USPC	Allowed	09/582766	9/29/2001	US- Allowance	Issue Fee Due	5/23/2004	2/23/2004
900122-455	Transfer	10/189166	7/3/2002	US-1 month Restriction	2nd Extension/Month 3 of 6	5/23/2004	2/23/2004
130209-513	Pending	10/713552	11/14/2003	US-2 month + mailing Missing Parts	1st Extension/Month 3 of 6	5/23/2004	2/23/2004
690068- 459C4	Published	10/785386	2/23/2004	Information Disclosure Strnnt	Information Disclosure Stmnt	5/23/2004	2/23/2004

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851963-414	Pending	10/705782	11/10/2003	US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	6/23/2004	2/23/2004
130209-513	Pending	10/713552	11/14/2003	US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	6/23/2004	2/23/2004
130209-513	Pending	10/713552	11/14/2003	US-2 month + mailing Missing Parts	3rd Extension/Month 5 of 6	7/23/2004	2/23/2004
851963-414	Pending	10/705782	11/10/2003	US-2 month + mailing Missing Parts	3rd Extension/Month 5 of 6	7/23/2004	2/23/2004
854063-738	Pending	10/719650	11/21/2003	US-2 month + mailing Missing Parts	3rd Extension/Month 5 of 6	7/23/2004	2/23/2004
900122-455	Transfer	10/189166	7/3/2002	US-1 month Restriction	4th Extension/Month 5 of 6	7/23/2004	2/23/2004
690068- 459C4	Published	10/785386	2/23/2004	Information Disclosure Statement	IDS	7/23/2004	2/23/2004
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854063-738	Pending	10/719650	11/21/2003	US-2 month + mailing Missing Parts	Final Deadline	8/23/2004	2/23/2004
851963-414	Pending	10/705782	11/10/2003	US-2 month + mailing Missing Parts	Final Deadline	8/23/2004	2/23/2004

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130209-513	Pending	10/713552		US-2 month + mailing Missing Parts	Final Deadline	8/23/2004	2/23/2004
130309- 492USPC	Pending	10/487532	9/14/2004	Information Disclosure Statement	IDS	9/23/2004	2/23/2004
130309- 493USPC	Pending	10/487579	9/21/2004	Information Disclosure Statement	IDS	12/23/200 4	2/23/2004
690068- 459C4	Published	10/785386	2/23/2004	Bar Date - Foreign Filings	File (additional) Foreigns?	2/23/2005	2/23/2004
110129- 422AU	Granted	27878/00	2/23/2000	Annuity	Annuity	2/23/2005	2/23/2004
980057- 405P2	NP-Filed	60/546820	2/23/2004	File Application	Filing Due	2/23/2005	2/23/2004
690068- 448EA	Granted	200000872	2/23/1999	Annuity	Annuity	2/23/2005	2/23/2004
110129- 422NO	Pending	2001-4085	2/23/2000	Annuity	Annuity	2/23/2005	2/23/2004
110129- 422EP	Pending	00906091.4	2/23/2000	Annuity	Annuity	2/23/2005	2/23/2004
980057- 405P2	NP-Filed	60/546820	2/23/2004	Foreign Filing	Foreign Filing Due	2/23/2005	2/23/2004
980057- 405P3	NP-Filed	60/546934	2/23/2004	File Application	Filing Due	2/23/2005	2/23/2004
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980057- 405P5	NP-Filed	60/546898	2/23/2004	Foreign Filing	Foreign Filing Due	2/23/2005	2/23/2004
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980057- 405P6	NP-Filed	60/546815	2/23/2004	Foreign Filing	Foreign Filing Due	2/23/2005	2/23/2004
852163-420	Unfiled			Bar Date - File Application from Foreign	File US Application!	2/23/2005	2/23/2004
110129- 422CA	Pending	2369739	2/23/2000	L	Annuity	2/23/2005	<sup>-</sup> 2/23/2004
690068- 448OA	Granted	1200000229	2/23/1999	Annuity	Annuity	2/23/2005	2/23/2004
110129- 422NZ	Pending	513895	2/23/2000	Annuity	Annuity	2/23/2005	2/23/2004
110129- 422NZ	Pending	513895	2/23/2000	Annuity	Annuity - Grace Period	8/23/2005	2/23/2004
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## CPI Patent Database Report for Filing Missing Parts Due on April 23, 2004

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660081-442	Pending	10/627586	7/25/2003	US-2 month + mailing Missing Parts	Final Deadline	4/23/2004
660117- 412C2	Abandoned	10/629314	7/28/2003	US-2 month + mailing Missing Parts	Final Deadline	4/23/2004
854063-738	Pending	10/719650	11/21/2003	US-2 month + mailing Missing Parts	2 month +mailing/Response due	4/23/2004
851963-414	Pending	10/705782	11/10/2003	US-2 month + mailing Missing Parts	2 month +mailing/Response due	4/23/2004
130209-513	Pending	10/713552	11/14/2003	US-2 month + mailing Missing Parts	2 month +mailing/Response due	4/23/2004
720004-913	Allowed	29/192746	10/29/2003	US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
720004-902	Pending	29/192668	10/28/2003	US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
720004-905	Allowed	29/192662		US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
720004-903	Allowed	29/192667	10/28/2003	US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
340058-556	Pending	10/676843		US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
851063-487	Pending	10/676731		US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004

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#### PATENT APPLICATION INDEX

Docket No.:

890050.448

Client Ref. No.: US03-071

Inventor:

Narutoshi Fukuzawa

Invention Title:

OPTICAL RECORDING DISK, METHOD FOR MANUFACTURING OPTICAL

RECORDING DISK AND OPTICAL RECORDING AND REPRODUCING METHOD FOR

OPTICAL RECORDING DISK

U.S. Filing Date: U.S. Application No.:

**November 10, 2003** 

40/706,22R 10/705,815

Phone No.:

(703)

Examiner: Art Unit:

Priority Document:

Japanese App. No. 2002-327258, filed November 11, 2002

cert. copy filed w/USPTO:

November 10, 2003

Small Entity:

NO Assigned To:

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	Document	Date Filed with PTO	Date Mailed from PTO	Due Date
1.	Check; PTO/SB/05; PTO/SB/17; ADS; Application; Preliminary Amendment; PTO-1595; Assignment; Japanese Certified Priority Document; IDS; PTO-1449; 9 Cited References – filed MP	11/10/03		
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17497 U.S. PTO 10/706228



Application Number

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Check; Utility Patent Application Transmittal; Fee Transmittal Form (+copy); Application Data Sheet; Spec., Claims, Abstract (63 pages); 1 Sheets of Drawings (Fig. 1); Preliminary Amendment; Form PTO-1595; Assignment; Japanese Certified Priority Document; IDS; PTO-1449; 9 Cited References in re: Narutoshi Fukuzawa, for OPTICAL, RECORDING DISK, METHOD FOR MANUFACTURING OPTICAL RECORDING DISK AND OPTICAL RECORDING AND REPRODUCING METHOD FOR OPTICAL RECORDING DISK.

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Date Mailed: 02/23/2004

GCT 2 2 2004

Seed Intellectual Property Law Group PLLG

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Narutoshi Fukuzawa, Chuo-ku, JAPAN:

Assignment For Published Patent Application

TDK Corporation, Chuo-ku, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications "

JAPAN 2002-327258 11/11/2002

If Required, Foreign Filing License Granted: 02/19/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Optical recording disk, method for manufacturing optical recording disk and optical recording and reproducing method for optical recording disk

**Preliminary Class** 

430

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5,15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 ()); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Traditional Offices
Address COMMISSIONER FOR TATENTE
Address COMMISSIONER FOR TATENTE
Advantage Virginia 22013-1410

ATTY. DOCKET NO. TITLE FIRST NAMED APPLICANT FILING OR 371(C) DATE APPLICATION NUMBER

10/705,815

11/10/2003

Narutoshi Fukuzawa

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890050.448

**CONFIRMATION NO. 6308** 

**ABANDONMENT/TERMINATION** LETTER

00500 SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVE **SUITE 6300** SEATTLE, WA 98104-7092

\*OC000000014622839\*

Date Mailed: 11/29/2004

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/23/2004.

No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

#### PATENT APPLICATION INDEX

Docket No.:

890050.448

Client Ref. No.: US03-071

Inventor:

Narutoshi Fukuzawa

Invention Title:

OPTICAL RECORDING DISK, METHOD FOR MANUFACTURING OPTICAL

RECORDING DISK AND OPTICAL RECORDING AND REPRODUCING METHOD FOR

OPTICAL RECORDING DISK

U.S. Filing Date: U.S. Application No.: November 10, 2003

10/706,222 16 709,815

Phone No.: (703)

Examiner: Art Unit:

Priority Document:

Japanese App. No. 2002-327258, filed November 11, 2002

cert. copy filed w/USPTO:

November 10, 2003

Small Entity:

NO

Assigned To:

TDK Corporation, recorded on, at Reel, Frame

•	Document	Date Filed with PTO	Date Mailcd from PTO	Due Date
1.	Check; PTO/SB/05; PTO/SB/17; ADS; Application; Preliminary Amendment; PTO-1595; Assignment; Japanese Certified Priority Document; IDS; PTO-1449; 9 Cited References – filed MP			
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Facsimile Transmission

To: Valerie Kinard

Fax No: (703) 308-7749

Phone No: (703) 305-3974

Your Ref:

**Transmission Information:** 

Date:

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		No. of Pages: **(including this page)						
ddress 70 ( Fifth Avenue Suite 6300 Scattle, WA 98104 sphere 206.622.4900 coimile 206.682.603 (	If you do not receive all pages, please call <u>L. Shockey</u> at (206) 622-4900 or fax our office.							
	X Urgent	X For Review	X Please Confirm Receipt	Please Reply ASAP				
	Comments:  Attached we are <u>resending</u> the following documents, which were filed on							
		December 15, 2004:						
		Transmittal Form (1 page)						
		Fee Transmittal (1 page)(+copy)						
	Petition to Withdraw Holding of Abandonment (4 pages)(+copy)							

Time:

By:

Re: U.S. Patent Application No. 10/705,815

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### Facsimile Transmission

January 26, 2005

To: Valerie Kinard

Fax No: (703) 308-7749

Phone No: (703) 305-3974

Re: U.S. Patent Application No. 10/705,815

Your Ref:

Seed IP Ref: 890050,448

No. of Pages: 1/20 (including this page)

If you do not receive all pages, please call L. Shockey at (206) 622-4900 or fax our office.

X Urgent

X For Review

Please Confirm Receipt

Please Reply **ASAP** 

Comments:

Attached we are resending the following documents, which were filed on

December 15, 2004:

Transmittal Form (1 page)

Fee Transmittal (1 page)(+copy)

Petition to Withdraw Holding of Abandonment (4 pages)(+copy)

Seed Intellactual Property Law Group PLLC

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January 25, 2005

Valerie Kinard

Fax No: (703) 308-7749

Phone No: (703) 305-3974

> Re: U.S. Patent Application No. 10/705,815

Your Ref:

Seed IP Ref: 890050,448

No. of Pages: 38 (including this page)

If you do not receive all pages, please call L. Shockey at (206) 622-4900 or fax our office.

X Urgent

X | For Review

Please Confirm Receipt

Please Reply **ASAP** 

### Comments:

Attached we are resending the following documents, which were filed on

December 15, 2004:

Transmittal Form (1 page)

Fee Transmittal (1 page)(+copy)

Petition to Withdraw Holding of Abandonment (4 pages)(+copy)

Seed Intellectual Property Law Group PLLC

address 701 Fifth Avenue Sult4 6300

Seattle, WA 98104 telephone 206.622.4900

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RESULT

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To:	OIPE Customer Service	
Fax No:	(703) 308-7751	
Phone No:		
Re:	U.S. Patent Application No. 10/705,815	
Your Ref:		
Seed IP Ref:	890050.448	
No. of Pages:	35 (including this page)	
If you do not receive	ve all pages, please call <u>L. Shockey</u> at (206) 622-4	900 or fax our office.
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Comments:		

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Seed Intellectual Property Law Group PLLC

Transmittal Form (1 page)

Fee Transmittal (1 page)(+copy)

Petition to Withdraw Holding of Abandonment (4 pages)(+copy)

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Facsimile T	ransmission		December 15, 2004			
To:	OIPE Customer Ser	vice				
Fax No:	(703) 308-7751					
Phone No:						
Re:	U.S. Patent Applica	tion No. 10/705,815				
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No. of Pages:	35 (including this pa	age)				
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X Urgent	X For Review	X Please Confirm	Please Reply ASAP			
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# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

10/705,815	
November 10, 2003	
Narutoshi Fukuzawa	
1752	
890050.448	
	November 10, 2003 Narutoshi Fukuzawa 1752

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Fee Transmitta Fee Attach Amendment/Re After Final After Final Aftidavits/d Extension of Ti Express Aband Request Information Dis Statement; For Cited Reference Certified Copy Document(s) Response to M under 37 C.F.F. Response to M Parts/Incomple	l Form ed esponse leclaration(s) me Request donment sclosure m PTO-1449 les of Priority lissing Parts R, 1,52 or 1,53 lissing	Drawing(s) Request for Corrected Receipt Licensing-related Pape Petition Petition to Convert to Provisional Application Power of Attorney, Revocation, Change of Correspondence Address Declaration Statement under 37 Co. 3.73(b) Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table	Filing Care	Cor App Boa Inte TC Rep Pro Sta Sta Oth ide	er Allowance mmunication to TC peal Communication to ard of Appeals and erferences peal Communication to (Appeal Notice, Brief, poly Brief) prietary Information tus Letter turn Receipt Postcard per Enclosure(s) (please ntify below): Motice of mment	
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Signature	Flan	~_5			_	
Printed Name	Hai Han, Ph.	D. ~				
Date	December 18		Reg. No.			
	l					
CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.						
Signature		alera C.	Mi	On	ly	
Typed or printed r		ra C. Shockey			December 15, 2004	
This collection of information process) an application. Cor	is required by 37 CFR vildentiality is governed	1.5. The information is required to obtain by 35 U.S.C. 122 and 37 CFR 1.11 and 1	or relain a benef 14. This collecti	fit by the p	oublic which is to file (and by the USPTO nated to take 2 hours to comptete, includ	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the anount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradamark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS AUDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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	Deposit Account Deposit Account Number: 19-1090 Deposit Account Name: Seed IP Law Group PLLC  For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)							
_	Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee							
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Signature	Ha	~		egistration No. ttorney/Agent)	54,150	Telephone	206-622-4900	
Name (Print/Type)	Hai Han, Ph.	D	1.72			Date	December 15, 2004	

Effective on 12/0-204. Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).			).	Complete if Known			
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FEE CALCULATION	N	,,,					
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Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Provisional	200	100	0	0	0	0	
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Signature	400			Registration No.	54,150	Telephone	206-622-4900
Name (Print/Type)	Hai Han, Ph.D			(Attomey/Agent)		Date	December 15, 2004

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**PATENT** 

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark

Office on the date shown below:

December 15, 2004

Date

Laura C. Shockey

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants** 

Narutoshi Fukuzawa

Application No.

: 10/705,815

Filed

: November 10, 2003

For

OPTICAL RECORDING DISK, METHOD FOR

MANUFACTURING OPTICAL RECORDING DISK AND

OPTICAL RECORDING AND REPRODUCING METHOD FOR

OPTICAL RECORDING DISK

Docket No.:

890050.448

Date

.

December 15, 2004

FAX (703) 308-7751

OIPE Customer Service Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R 1.181(a)

#### Commissioner for Patents:

Submitted herein is a petition in reply to the Notice of Abandonment mailed on November 29, 2004. According to the Notice, the application became abandoned for failure to reply or properly reply to the Notice to File Missing Parts mailed on February 23, 2004. Our office never received the Notice to File Missing Parts. Applicant respectfully contends that the

Application No. 10/705,8 2 / Reply to Notice of Abandonment dated November 29, 2004

application is not in fact abandoned because Applicant has never received the Office Communication at issue.

Applicant hereby provides the following information to satisfy the requirements as specified in MPEP §711.03(c) (I)(A) regarding a grantable petition to withdraw holding of abandonment based on failure to receive office action or communication.

The following are the procedures at Seed IP Law Group for processing mail and docketing PTO due dates:

- a. Mail is received in the office, all USPTO correspondence is sent directly to docketing department;
- b. Docketing personnel make an independent review of the documents and produce an independent calculation of due dates (without the use of a computer);
- c. Docketing personnel enter the base date (date mailed from USPTO) into our CPI (Computer Packages Inc.) database and select the appropriate template from the CPI system with the required date calculations programmed for each template;
- d. Docketing personnel compare the independent calculation date with the CPI generated date for accuracy;
- e. Docketing personnel forward a copy of the "print screen" with all due dates listed along with the USPTO correspondent to assigned Legal Assistant;
- f. The legal assistant reviews the docketing department's due date and enters the due date on to a paper calendar;
- g. The legal assistant enters the USPTO correspondence into the appropriate file, and updates file index listing the date mailed from the USPTO and the due date.

Attached hereto are copies from our docketing department showing all actions/reminders entered into CPI with a base date of February 23, 2004 as well as a copy of filing missing parts due on April 23, 2004. A copy of the legal assistant's desk calendar showing

Application No. 10/705,8 2 Reply to Notice of Abandonment dated November 29, 2004

the due dates for the month of April 2004 is enclosed as well as a copy of the file index showing all correspondence to and from the USTPO for this matter.

Upon a strict review of our docketing department's records, the Legal Assistant's desk calendar, the file, and file index, I believe that the Notice to File Missing Parts was not received in our office at anytime.

To complicate the matter further, the postcard sent with the original application was returned to us on November 23, 2003 and it bore a wrong application number (shown as 10/706,228) and a wrong filing date (shown as November 12, 2003). A copy of the returned postcard is attached hereto. Our docketing department noted the error regarding the date on the postcard. However, at the time we had no way of knowing that the application number was also wrong.

After several months passed and the filing receipt was not received, we phoned the U.S. Patent Office on October 19, 2004. The U.S. Patent Office personnel at no time mentioned that there was an outstanding Notice, but merely indicated that a filing receipt would be mailed out to us. We received the official filing receipt on October 22, 2004 (enclosed herein), on which both the application number and the filing date were different from the postcard, and we believe are the correct numbers. However, the filing receipt was not accompanied by the Notice to File Missing Parts. We then received Notice of Abandonment mailed on November 29, 2004, but have never received the Notice to File Missing Parts.

Based on the showing as outlined above, I believe that the Notice to File Missing Parts was never received at our office. Any attempt to investigate the matter ourselves was also hampered by the fact that we did not have a correct application number until October 22, 2004, at which time the due date for replying to the Notice to File Missing Parts had passed unbeknownst to us.

Applicants submits herewith the processing and retention fee as set forth in §1.53(f). No petition fee is believed due at this time.

Application No. 10/705, Reply to Notice of Abandonment dated November 29, 2004

Applicants hereby request that the petition be granted based on failure to receive an Office Communication and this application be processed and retained.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

Hai Han, Ph.D.

Registration No. 54,150

### HXH:lcs

#### Enclosures:

Docketing records with the base date of February 23, 2001
Docketing records with the due date for filing missing parts on April 23, 2002
Copy of Legal Assistant's calendar for April 2004
Copy of File Index
Copy of Returned Postcard
Copy of Official Filing Receipt
Copy of Notice of Abandonment

701 Fifth Avenue, Suite 6300 Seattle, Washington 98104-7092

Phone: (206) 622-4900 Fax: (206) 682-6031

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PATENT

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

December 15, 2004

Date

Laura C. Shockey

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Narutoshi Fukuzawa

Application No.

10/705,815

Filed

November 10, 2003

For :

OPTICAL RECORDING DISK, METHOD FOR

MANUFACTURING OPTICAL RECORDING DISK AND

OPTICAL RECORDING AND REPRODUCING METHOD FOR

OPTICAL RECORDING DISK

Docket No.:

890050.448

Date

December 15, 2004

FAX (703) 308-7751

OIPE Customer Service Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R 1.181(a)

#### Commissioner for Patents:

Submitted herein is a petition in reply to the Notice of Abandonment mailed on November 29, 2004. According to the Notice, the application became abandoned for failure to reply or properly reply to the Notice to File Missing Parts mailed on February 23, 2004. Our office never received the Notice to File Missing Parts. Applicant respectfully contends that the

Application No. 10/705,815

Reply to Notice of Abandonment dated November 29, 2004

application is not in fact abandoned because Applicant has never received the Office Communication at issue.

Applicant hereby provides the following information to satisfy the requirements as specified in MPEP §711.03(c) (I)(A) regarding a grantable petition to withdraw holding of abandonment based on failure to receive office action or communication.

The following are the procedures at Seed IP Law Group for processing mail and docketing PTO due dates:

- a. Mail is received in the office, all USPTO correspondence is sent directly to docketing department;
- b. Docketing personnel make an independent review of the documents and produce an independent calculation of due dates (without the use of a computer);
- c. Docketing personnel enter the base date (date mailed from USPTO) into our CPI (Computer Packages Inc.) database and select the appropriate template from the CPI system with the required date calculations programmed for each template;
- d. Docketing personnel compare the independent calculation date with the CPI generated date for accuracy;
- e. Docketing personnel forward a copy of the "print screen" with all due dates listed along with the USPTO correspondent to assigned Legal Assistant;
- f. The legal assistant reviews the docketing department's due date and enters the due date on to a paper calendar;
- g. The legal assistant enters the USPTO correspondence into the appropriate file, and updates file index listing the date mailed from the USPTO and the due date.

Attached hereto are copies from our docketing department showing all actions/reminders entered into CPI with a base date of February 23, 2004 as well as a copy of filing missing parts due on April 23, 2004. A copy of the legal assistant's desk calendar showing

Application No. 10/705,815
Reply to Notice of Abandonment dated November 29, 2004

the due dates for the month of April 2004 is enclosed as well as a copy of the file index showing all correspondence to and from the USTPO for this matter.

Upon a strict review of our docketing department's records, the Legal Assistant's desk calendar, the file, and file index, I believe that the Notice to File Missing Parts was not received in our office at anytime.

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Applicants submits herewith the processing and retention fee as set forth in §1.53(f). No petition fee is believed due at this time.

Application No. 10/705,817
Reply to Notice of Abandonment dated November 29, 2004

Applicants hereby request that the petition be granted based on failure to receive an Office Communication and this application be processed and retained.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

Hai Han, Ph.D.

Registration No. 54,150

#### HXH:lcs

#### Enclosures:

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Phone: (206) 622-4900 Fax: (206) 682-6031

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210121- 45501PL	Pending	P-354348	4/3/2000	Complete the Filing	Authorization; Priority Documents	2/23/2004	2/23/2004
130109-507	Pending	10/693672	10/23/2003	Check Status	Check Status	2/23/2004	2/23/2004
260006- 443EP	Pending	02734559.4	5/28/2002	Response	Re: Amend Claims	2/23/2004	2/23/2004
690068- 448CA	Pending	2321929	2/23/1999	Request Examination	Request Examination	2/23/2004	2/23/2004
760100- 433EP	Pending	99949529.4	6/1/1999	Response	Office Action - 96(2)	2/23/2004	2/23/2004
690068- 448KR	Pending	00-7009330	2/23/1999	Request Examination	Further Instructions - Request Examination	2/23/2004	2/23/2004
320043- 430EP	Published	98958674.8	11/20/1998	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043-406JP	Expired	21386/83	2/10/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 406EP	Converted	83100398.3	1/18/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043-406IL	Abandoned	67810	2/1/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 421EP	Converted	94202615,4	9/12/1994	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
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320043- 421NL	Granted	94202615.4	9/12/1994	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 419EP	Converted	93202220.5	7/26/1993	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 419FR	Granted	93202220.5	7/26/1993	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
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320043- 416FR	Granted	92201251.3	5/4/1992	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
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320043- 416NL	Granted	92201251.3		Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
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320043- 415GB	Granted	91201952.8	7/25/1991	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 414EP	Abandoned	91201697.9	7/1/1991	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
320043- 423EP	Converted	95202162.4	8/8/1995	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	``2/23/2004
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320043-406IT	Expired	83100398.3	1/18/1983	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
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980049- 411PC	Converted	US2002/413 06	12/20/2002	Send file to Docketing for Review	Send file to Docketing for Review	3/8/2004	2/23/2004
110129- 407C4	Published	10/172737	6/13/2002	US-1 month Response	Final Deadline	3/23/2004	2/23/2004
900122-455	Transfer	10/189166	7/3/2002	US-1 month Restriction	1 month +mailing/Due date	3/23/2004	2/23/2004
900122-455	Transfer	10/189166	7/3/2002	US-1 month Restriction	1st Extension/Month 2 of 6	4/23/2004	2/23/2004
210121- 45501PL	Pending	P-354348		Complete the Filing	Authorization; Priority Documents	4/23/2004	2/23/2004
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854063-738	Pending	10/719650	11/21/2003	US-2 month + mailing Missing Parts	1st Extension/Month 3 of 6	5/23/2004	2/23/2004
858063-438	Granted	09/301487	4/28/1999	US- Allowance	Issue Fee Due	5/23/2004	<b>2/23</b> /2004
851663- 410USPC	Allowed	09/582766	9/29/2001	US- Allowance	Issue Fee Due	5/23/2004	2/23/2004
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130209-513	Pending	10/713552	11/14/2003	US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	6/23/2004	2/23/2004
130209-513	Pending	10/713552	11/14/2003	US-2 month + mailing Missing Parts	3rd Extension/Month 5 of 6	7/23/2004	2/23/2004
851963-414	Pending	10/705782	11/10/2003	US-2 month + mailing Missing Parts	3rd Extension/Month 5 of 6	7/23/2004	2/23/2004
854063-738	Pending	10/719650	11/21/2003	US-2 month + mailing Missing Parts	3rd Extension/Month 5 of 6	7/23/2004	2/23/2004
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110129- 422AU	Granted	27878/00	2/23/2000	Annuity	Annuity	2/23/2005	2/23/2004
980057- 405P2	NP-Filed	60/546820	2/23/2004	File Application	Filing Due	2/23/2005	2/23/2004
690068- 448EA	Granted	200000872	2/23/1999	Annuity	Annuity	2/23/2005	2/23/2004
110129- 422NO	Pending	2001-4085	2/23/2000	Annuity	Annuity	2/23/2005	2/23/2004
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980057- 405P2	NP-Filed	60/546820	2/23/2004	Foreign Filing	Foreign Filing Due	2/23/2005	2/23/2004
980057- 405P3	NP-Filed	60/546934	2/23/2004	File Application	Filing Due	2/23/2005	2/23/2004
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980057- 405P4	NP-Filed	60/546786	2/23/2004	Foreign Filing	Foreign Filing Due	2/23/2005	2/23/2004
980057- 405P5	NP-Filed	60/546898	2/23/2004	File Application	Filing Due	2/23/2005	2/23/2004
980057- 405P5	NP-Filed	60/546898	2/23/2004	Foreign Filing	Foreign Filing Due	2/23/2005	2/23/2004
980057- 405P6	NP-Filed	60/546815	2/23/2004	File Application	Filing Due	2/23/2005	2/23/2004
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110129- 422CA	Pending	2369739	2/23/2000		Annuity	2/23/2005	2/23/2004
690068- 448OA	Granted	1200000229	2/23/1999	Annuity	Annuity	2/23/2005	2/23/2004
110129- 422NZ	Pending	513895	2/23/2000	Annuity	Annuity	2/23/2005	2/23/2004
110129- 422NZ	Pending	513895	2/23/2000		Annuity - Grace Period	8/23/2005	2/23/2004
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110129- 422AU	Granted	27878/00	2/23/2000	Annuity	Annuity - Grace Period	8/23/2005	2/23/2004
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## CPI Patent Database Report for Filing Missing Parts Due on April 23, 2004

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660117- 412C2	Abandoned	10/629314	7/28/2003	US-2 month + mailing Missing Parts	Final Deadline	4/23/2004
854063-738	Pending	10/719650	11/21/2003	US-2 month + mailing Missing Parts	2 month +mailing/Response due	4/23/2004
851963-414	Pending	10/705782	11/10/2003	US-2 month + mailing Missing Parts	2 month +mailing/Response due	4/23/2004
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720004-913	Allowed	29/192746	10/29/2003	US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
720004-902	Pending	29/192668	10/28/2003	US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
720004-905	Allowed	29/192662		US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
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340058-556	Pending	10/676843		US-2 month + mailing Missing Parts	2nd Extension/Month 4 of 6	4/23/2004
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# from APRIL 26

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#### PATENT APPLICATION INDEX

Docket No.:

890050.448

Client Ref. No.: US03-071

Inventor:

Narutoshi Fukuzawa

Invention Title:

OPTICAL RECORDING DISK, METHOD FOR MANUFACTURING OPTICAL

RECORDING DISK AND OPTICAL RECORDING AND REPRODUCING METHOD FOR

OPTICAL RECORDING DISK

U.S. Filing Date: U.S. Application No.: November 10, 2003

40/706,22R 10/705,815

Examiner: Art Unit:

Priority Document:

Phone No.: (703)

Japanese App. No. 2002-327258, filed November 11, 2002 cert. copy filed w/USPTO: November 10, 2003

Small Entity:

NO

Assigned To:

TDK Corporation, recorded on, at Reel, Frame

,	Document	Date Filed with PTO	Date Mailed from PTO	Due Date
1.	Check; PTO/SB/05; PTO/SB/17; ADS; Application; Preliminary Amendment; PTO-1595; Assignment; Japanese Certified Priority Document; IDS; PTO-1449; 9 Cited References – filed MP			:
2.	Belordation		6-15-04	
3.	TIC WITO NE: FR	10-19-04		
4.	FR		10/22/04/	recd
5.	H+C abandonment		11-29-04	
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Express Mail No. E \$336611461US

890050.448 Serial

Filing Date
Stamp

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 DVC:lcs do Co not SENT: November 10, 2003 NEW APPLICATION

17497 U.S.PTO 10/706228

111203 -

PLEASE STAMP WITH APPLICATION NO. AND RETURN

Kindly acknowledge receipt of the below-listed documents by placing your receiving stamp hereon and mailing:

Check; Utility Patent Application Transmittal; Fee Transmittal Form (+copy); Application Data Sheet; Spec., Claims, Abstract (63 pages); I Sheets of Drawings (Fig. 1); Preliminary Amendment; Form PTO: 1595; Assignment; Japanese Certified Priority Document; IDS; PTO-1449; 9 Cited References in re: Narutoshi Fukuzawa, for OPTICAL RECORDING DISK, METHOD FOR MANUFACTURING OPTICAL RECORDING AND REPRODUCING METHOD FOR OPTICAL RECORDING DISK.

\*\*NO FEE OR FORMAL PAPERS BEING SUBMITTED\*\*
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10/705,815	11/10/2003	1752	0.00	890050.448	1	37	4

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**CONFIRMATION NO. 6308** 

Date Mailed: 02/23/2004

FILING RECEIPT

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Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Narutoshi Fukuzawa, Chuo-ku, JAPAN;

Assignment For Published Patent Application

TDK Corporation, Chuo-ku, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 2002-327258 11/11/2002

If Required, Foreign Filing License Granted: 02/19/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Optical recording disk, method for manufacturing optical recording disk and optical recording and reproducing method for optical recording disk

Page 2 of 2

**Preliminary Class** 

430

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FILING OR 371(C) DATE FIRST NAMED APPLICANT APPLICATION NUMBER

ATI'Y. DOCKET NO, TITLE

10/705,815

11/10/2003

Narutoshi Fukuzawa

890050.448

**CONFIRMATION NO. 6308** ABANDONMENT/TERMINATION

LETTER

00500 SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVE **SUITE 6300** SEATTLE, WA 98104-7092

\*OC000000014622839\*

Date Mailed: 11/29/2004

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/23/2004.

No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

#### PATENT APPLICATION INDEX

Docket No.:

890050.448

Client Ref. No.: US03-071

Inventor.

Narutoshi Fukuzawa

Invention Title:

MAI BEOOM T UKUXAWA

OPTICAL RECORDING DISK, METHOD FOR MANUFACTURING OPTICAL, RECORDING DISK AND OPTICAL RECORDING AND REPRODUCING METHOD FOR

OPTICAL RECORDING DISK

U.S. Filing Date:

November 10, 2003

U.S. Application No.: Examiner:

10/706 22R 10/705,815

Phone No.:

(703)

Art Unit:

Priority Document:

Japanese App. No. 2002-327258, filed November 11, 2002

cert. copy filed w/USPTO:

November 10, 2003

Small Entity:

NO

Assigned To:

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